

PETER C. HARVEY  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street - 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the State Board  
of Medical Examiners

**FILED**

August 26, 2005

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Mileidy Perez  
Deputy Attorney General  
Tel. (973)648-2500

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

MATTHEW E. DURALEK, P.A.  
License No. 25MP00089100

TO PRACTICE AS A PHYSICIAN  
ASSISTANT IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER OF  
REINSTATEMENT  
OF LICENSURE

This matter was opened to the New Jersey State Board of Medical Examiners ("the Board") upon notification that Matthew Duralek, P.A. ("Respondent") was arrested in Union County, New Jersey on September 15, 2003 and charged with knowingly obtaining a controlled dangerous substance by presenting a forged prescription for a schedule III narcotic in violation of N.J.S.A. 2c:35-13, a third degree offense, and with knowingly possessing a controlled dangerous substance, a schedule III narcotic, in violation of N.J.S.A. 2c:35-10(A)1, a third degree offense.

**CERTIFIED TRUE COPY**

On September 23, 2003, the Board issued an Interim Consent Order of Voluntary Surrender whereby Respondent surrendered his license to practice as a physician assistant in the State of New Jersey until such time as he appeared before the Board and demonstrated fitness to re-enter the practice.

On June 17, 2005, Respondent appeared before the Physician Assistant Advisory Committee ("Committee") of the Board and petitioned the Board for reinstatement of his license to practice as a physician assistant in the State of New Jersey. At the appearance Respondent testified that he has been in therapy and has been participating in the Professional Assistance Program of New Jersey ("PAPNJ"). On July 13, 2005, the Board reviewed the Committee's recommendation to grant Respondent's request for reinstatement. The Board being satisfied with the information submitted by the PAPNJ indicating that Respondent has maintained documented recovery and the Board being satisfied that Respondent has complied with the terms of the Interim Consent Order issued on September 23, 2003, and that Respondent's practice is consistent with the health, safety and welfare of the public:

ACCORDINGLY, IT IS on this 26th day of August, 2005, ORDERED AND AGREED THAT:

1. Respondent is hereby granted a license to practice as a physician assistant in the State of New Jersey.

2. Respondent shall continue to participate in the Professional Assistance Program of New Jersey ("PAPNJ") and shall meet with a representative of the PAPNJ for face-to-face visits on a monthly basis for the first three (3) months of reinstatement of licensure and Respondent's return to practice. Thereafter, Respondent shall meet with a representative of the PAPNJ at a frequency consistent with his stage of recovery, as determined by the Medical Director of the PAPNJ with notice to the Medical Director of the Board.

3. Respondent shall maintain absolute abstinence from all psychoactive substances unless prescribed by a treating physician for a documented medical condition and in the usual course of the treating physician's medical practice with notification to the Medical Director of the PAPNJ.

4. Respondent shall submit to urine monitoring under the auspices of the PAPNJ twice (2) a week during the first three (3) months he returns to practice, followed by weekly urine monitoring for one (1) year with notice to the Medical Director of the Board. Thereafter, Respondent shall submit to random urine monitoring drug screens at a frequency consistent with his stage of recovery at the discretion of the Medical Director of the PAPNJ with notice to the Medical Director of the Board.

5. Respondent shall become knowledgeable about any and all foods or food additives or other products which may confound the



validity of urine screening and shall refrain from ingesting or otherwise using or employing any such product.

6. Respondent shall continue to participate in group and individual therapy on a weekly basis until such time as the treating therapist and the Medical Director of PAPNJ agree that therapy is no longer required, with notice of termination of therapy by the PAPNJ to the Medical Director of the Board.

7. Respondent shall attend AA or NA meetings at a minimum of three (3) times per week.

8. Respondent shall be responsible to ensure that the PAPNJ submits quarterly reports to the Board regarding his progress.

9. Respondent consents to the PAPNJ reporting to the Board any evidence of noncompliance with the conditions in this Order. An immediate (within 24 hours of awareness) report both orally and in writing, shall be made by the PAPNJ to the Board of any information that Respondent engaged in any violation of any laws regarding controlled dangerous substances or any positive urine screen or failure to appear for urine monitoring.

10. Respondent expressly waives any claim to privilege or confidentiality that he may have concerning the above outlined reports and disclosures by the PAPNJ to the Board and to the use of any such information in any proceeding regarding his license.

11. Respondent shall notify prospective employers of his past history of controlled dangerous substance abuse and provide the employer with a copy of this Order.


12. Respondent shall provide the Physician's Assistant Advisory Committee with a copy of the Order signed by his employer.

13. Respondent shall ensure that his employer submits quarterly reports to the PAPNJ verifying his professional competence. An immediate (within 24 hours of awareness) report both orally and in writing, shall be made to the Board by the employer of any behavioral indications or symptoms related to possible impairment.


14. Respondent is restricted from writing or prescribing controlled dangerous substances (CDS) until further order of the Board.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By:

  
Bernard Robins, M.D., F.A.C.P.  
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter into this Order.

  
Matthew Duralek, M.D.

PA-C

8/22/05  
Date

I agree on behalf of the PAPNJ to the monitoring and reporting obligations outlined above:



Louis E. Baxter, Sr., M.D., F.A.S.A.M.  
Executive Medical Director  
Professional Assistance Program

8/22/05

Date